



**Senate Committee on Health Policy
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SB 324**

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The American Cancer Society Cancer Action Network (ACS CAN) opposes SB 324 as written. There are several areas of concern in this bill:

- It requires navigators to obtain the same license that insurance brokers are required to have and it incorporates navigators into many other areas of statute related to broker licenses.
- Any individual "involved or proposed to be involved in the activities of a navigator" is required to be fingerprinted and pay the cost themselves. This seems excessive and perhaps would discourage some organizations from becoming navigators.
- Navigators are prohibited from "providing advice concerning the benefits, terms and features of a particular health plan". While we agree that navigators should be provide unbiased information, this vague language prevents them from doing pretty much anything to help consumers interpret their choices.
- The bill requires additional training and examinations for navigators that would be on top of whatever HHS requires nationwide of all navigators. We don't want to create additional hoops for navigators to jump through and this may be preempted by federal law.

The Issues

Navigators/Assisters and "Producers"

There is considerable controversy about the role of navigators/assisters and the functions traditionally provided by insurance agents and brokers (commonly referred to as "producers"). In fact, the navigators will largely fill functions and roles not currently provided by producers. The primary role of Navigators/Assisters will be to aid underserved populations who otherwise may struggle to understand and enter the reformed insurance system. This includes but is not limited to the disabled, non-English speaking populations and recent immigrants, the previously

uninsured and low-income populations. Additionally, Navigator/Assister work will **not** include the selling, soliciting, or negotiating of insurance contracts or premiums. There is confusion in some states about these distinctions, which has led some to assert that navigators be treated like producers, or even be licensed as producers. **ACS CAN strongly opposes efforts to require Navigators and Assisters to meet the same (or similar) training and licensure requirements as producers.** ACS CAN does support training and certification requirements for Navigators and Assisters that are consistent with the intent of the ACA.

Statewide Access to Consumer Assistance

The ACA allows for states to impose additional training requirements for navigators and Assisters above and beyond those required by HHS. Dependent on what HHS requires, this could be problematic. If a state imposes additional hoops to jump through to become a Navigator or Assister, there is a risk that fewer entities will apply. This may result in inadequate or nonexistent support for consumers in certain areas of a state.

Assisters/Navigators should be accessible in areas of a state where the population runs a higher risk of cancer incidence (whatever the ethnic and/or income disparity may be). When the Navigator program is fully operational in 2014, an analysis should be conducted to identify areas of a state that may have limited access to a Navigator. The state should work to ensure that Assisters are used to fill these "assistance gaps".

Thank you for your consideration.